

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4337 of 2005

-

Dated 23-01-2006

Between:

Swathi School of Nursing, Mangalaram, Tirupathi, Chittoor Dist., President S.Siva
Ramaraju.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep., by its Principal Secretary, Social
Welfare Department,
Secretariat, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE MR. JUSTICE L. NARASIMHA REDDY

W.P.NO.4337 OF 2005

ORDER:

The petitioner is a School of Nursing. The candidates admitted by it, are of different categories, viz., management category, payment category etc. The candidates are admitted on the basis of the allotment made by the Convenor. In the selection process, several candidates, belonging to reserved categories, particularly, SCs & STs are allotted to the petitioner. Government issued orders, from time to time, for reimbursement of the fee, to be paid by the SC & ST candidates, who are selected and admitted under various categories. The grievance of the petitioner is that the respondents have not reimbursed the fee and other allowances, for various batches of S.C students, admitted between the years 1999 and 2002. It claims to have made a representation to the respondents, and complains that no action has been taken thereon. Reliance is placed on an order passed by this Court in W.P.No.6000 of 2003.

On behalf of the respondents, a counter affidavit is filed. It is stated that the reimbursement is provided for, under G.O.Ms.No.256, and the claim of the petitioner, which is anterior to that G.O., cannot be sustained at all. It is represented that in compliance of the directions issued by this Court in W.P.No.6000 of 2003, an order has been passed by the Government, on 29-01-2004. The matter has been examined, and it has been intimated through letter dated 29-01-2004, stating that the petitioners therein are not entitled for any further amounts.

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare.

It is not in dispute that G.O.Ms.No.256, Health, Medical & Family Welfare (K2) Department, dated 20-08-2004, dated

20-08-2004 governs the matter, relating to reimbursement of fee, for SC and ST candidates, who have studied nursing course, in private institutions. A bare perusal of the G.O., discloses that it does not cover the period, before it came to be issued. The question, as to whether the petitioner needs to be reimbursed for, any period, subsequent to issuance of G.O.Ms.No.256, dated 20-08-2004; needs to be examined. The material placed before this Court does not throw much light on those

aspects.

Hence, the writ petition is disposed of, directing the respondents to examine the claim of the petitioner, with reference to G.O.Ms.No.256, dated 20-08-2004, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.23-01-2006

KO